235 (21)

Anno Regni CAROLI II.

REGIS

Angliæ, Scotiæ, Franciæ & Hiberniæ,

TRICESIMO.

At the *Parliament* begun at *Weſtminſter* the Eighth of *May*, *Anno Dom.* 1661. In the Thirteenth Year of the Reign of our Sovereign Lord CHARLES, by the Grace of God, of *England*, *Scotland*, *France* and *Ireland* King, Defender of the Faith, &c.

And by ſeveral Prorogations and Adjournments there continued to the 30th day of *November* in the 30th Year of His Majeſties Reign, on which day the following Act paſſed the Royal Aſſent.



LONDON,
Printed by *John Bill*, *Chriſtopher Barker*, *Thomas Newcomb*, and *Henry Hills*, Printers to the Kings moſt Excellent Majeſty, 1678.

CUM PRIVILEGIO.

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IX. Be sure to have your Eye upon *Men of Industry* and *Improvement*. For those that are ingenuous and Laborious to propagate the Growth of the Country, will be very tender of weakening or impoverishing it: you may trust such.

X. Let not your Choice be flung upon *Men of Fearful Dispositions*, that will let *good Sense*, *Truth* and your *real Interest* in any point sink, rather than displease some one or other great Man. If you are but sensible of your *own Real Great Power*, you will wisely chuse those, that will in all just and legal ways keep and promote it.

XI. Pray see, that you chuse *Sincere Protestants*; men that don't play the *Protestant in Masque*, and are indeed *Disguis'd Papists*, ready to pull off their Mask, when [illegible]. You will know such by their *Laughing at the Plot*, *Disgracing the Evidence*, *Admiring* [illegible] *Constancy*, if they were forc'd to it, or their Religion and Party were gone beyond [illegible] *Equivocation*. The contrary are men that thank God for this Discovery, and in their Conversation zealously direct themselves in an Opposition to the *Papal Interest*, which indeed is a Combination against good *Sense*, *Reason* and *Conscience*, and to introduce a blind Obedience without (if not against) Conviction. And that Principle which introduces Implicit Faith and Blind Obedience in Religion, will also introduce Implicit Faith and Blind Obedience in *Government*: so that it is more the Law in the one than in the other, but the *Will* and *Power* of the *Superior*, that shall be the Rule and Bond of our *Subjection*. This is that fatal Mischief *Popery* brings with it to Civil *Society*, and for which such Societies ought to be aware of it, and all those that are Friends to it.

XII. *Lastly*, Among those be sure to find out and cast your favour upon *Men of large Principles*, such, as will not sacrifice his Neighbour's *Property* to the frowardness of his own Party or Religion: *Pick out such men, as will Inviolably maintain Civil Rights for all that will live soberly and civilly under the Government.*

Christ did not *revile* those that *reviled* him, much less did he *persecute* those, that did not revile him; he rebuk't his Disciples, that would have destroyed those that did not follow and conform to them, saying; *Ye know not what Spirit ye are of; I came not to destroy mens Lives, but to save them.* Which made the Apostle to say, that the *Weapons* of their Warfare were *not Carnal, but Spiritual.* This was the Ancient *Protestant* Principle; and where *Protestants* persecute for Religion, *they are false to their own profession*, and *Turn* Papists *even in the worst sense*, against whom their Ancestors did so stoutly exclaim: Read the *Books of Martyrs* of all Countries in Europe, and you will find I say true: Therefore *beware also of that Popery*. Consider, that first Partial men don't love *England*, but a *Sect*; and prefer *Imposed Uniformity* before *Virtuous and Neighbourly Unity.* This is that Disturber of Kingdoms and States, and till the *Good Man* and not the *Opinionative Man* be the Christian in the Eye of the Government, to be sure, where force is used to propagate or destroy *Faith*, and *the outward Comforts of the Widow and Fatherless are made a Forfeit for the peaceable Exercise of their Consciences to God*, he that sits in Heaven and judgeth Righteously, whose Eye pities the Oppressed and Poor of the Earth, will withhold his Blessings from us.

O lay to heart the grievous *Spoils* and *Ruins* that have been made upon your harmless Neighbours for near these twenty years, who have only desired to enjoy their Consciences to God according to the best of their understandings, and to eat the Bread of honest Labour, and to have but a *Penny* for a *Penny's worth* among you. Whose *Ox* or *Ass* have they taken? whom have they wronged? or when did any of them offer you Violence? yet *Sixty pounds has been distrained for* twelve, two hundred pounds *for* sixty pounds. *The Flocks been taken out of the Fold, the Herd from the Stall; not a Cow left to give Milk to the Orphans, nor a Bed for the Widow to lie on; whole Barns of Corn swept away, and not a penny return'd*; and thus bitterly prosecuted mostly by Laws made against *Papists*. And what is all this for? unless *their worshipping of God according to their Conscience*; for they injure no man, nor have they offered the least Molestation to the Government.

Truly, I must take liberty to tell you, If you will not endeavour to redress these Evils in your Choice, I fear, God will suffer you to fall into great Calamity by those you hate. You are afraid of *Popery*, and yet many of you practise it: for why do you fear it, but for its *Compulsion and Persecution*? and will you *compel* or *persecute* your selves, or chuse such as do? If you will, pray let me say, *You hate the Papists, but not Popery.* But God defend you from so doing, and direct you to do, as you would be done by: that chusing such as love *England*, her *People* and the *Civil Rights*, Foundations may be laid for that Security and Tranquillity, which the Children unborn may have cause to rise up and bless your *Names* and *Memories* for. Take it in good part, I mean nothing but *Justice* and *Peace* to all; and so conclude my self

Your Honest Monitor and England's *True Friend*

PHILANGLUS

FINIS.

Anno Regni CAROLI II.

REGIS

Angliæ, Scotiæ, Franciæ & Hiberniæ,

TRICESIMO.

At the *Parliament* begun at *Weſtminſter* the Eighth of *May*, *Anno Dom.* 1661. In the Thirteenth Year of the Reign of our Sovereign Lord CHARLES, by the Grace of God, of *England*, *Scotland*, *France* and *Ireland* King, Defender of the Faith, &c.

And by ſeveral Prorogations and Adjournments there continued to the 30th day of *November* in the 30th Year of His Majeſties Reign, on which day the following Act paſſed the Royal Aſſent.



LONDON,
Printed by *John Bill*, *Chriſtopher Barker*, *Thomas Newcomb*, and *Henry Hills*, Printers to the Kings moſt Excellent Majeſty, 1678.

CUM PRIVILEGIO.

11:: 5759

Anno Regni CAROLI II.

REGIS

Angliæ, Scotiæ, Franciæ & Hiberniæ,

DECIMO OCTAVO.

At the Parliament begun at Westminster the Eighth of May, Anno Dom. 1666. in the Eighteenth Year of the Reign of our Sovereign Lord CHARLES, by the Grace of God, of England, Scotland, France and Ireland King, Defender of the Faith, &c.

Anthony Rivers Progorgione and Adjournments there continued to the 30th day of November, in the 30th Year of His Majesties Reign, on which day the following Act passed the Royal Assent.



11:: 5759

Anno XXX

Caroli II. Regis.

An Act for the more effectual Preſerving the Kings Perſon and Government, by Diſabling Papiſts from Sitting in either Houſe of Parliament.

FOraſmuch as divers good Laws have been made for Preventing the Increaſe and Danger of Popery in this Kingdom, which have not had the deſired Effects, by reaſon of the free acceſs which Popiſh Recuſants have had to His Majeſties Court, and by reaſon of the Liberty which of late ſome of the Recuſants have had

8°... 1612

and taken to Sit and Vote in Parliament:

Wherefore, and for the Safety of his Majesties Royal Person and Government, Be it Enacted by the Kings most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and of the Commons in this present Parliament Assembled, and by the Authority of the same, That from and after the first day of December, which shall be in the year of our Lord God, One thousand six hundred seventy and eight, no Person that now is, or hereafter shall be a Peer of this Realm, or Member of the House of Peers, shall Vote, or make his Proxy in the House of Peers, or Sit there during any Debate in the said House of Peers; Nor any person that now is, or hereafter shall be a Member of the House of Commons, shall Vote in the House of Commons, or Sit there during any Debate in the said House of Commons, after their Speaker is chosen, until such Peer or Member shall from time to time respectively, and in manner following, first take the several Oaths of Allegiance and Supremacy, and make, subscribe, and audibly repeat this Declaration following;

I *A. B.*

I *A.B.* do Solemnly and Sincerely in the preſence of God, Profeſs, Teſtifie, and Declare, *That I do believe that in the Sacrament of the Lords Supper, there is not any Tranſubſtantiation of the Elements of Bread and Wine, into the Body and Bloud of Chriſt, at or after the Conſecration thereof, by any perſon whatſoever: And that the Invocation, or Adoration of the Virgin* Mary, *or any other Saint, and the Sacrifice of the Maſs, as they are now uſed in the Church of* Rome, *are Superſtitious and Idolatrous.* And I do Solemnly in the preſence of God, Profeſs, Teſtifie, and Declare, That I do make this Declaration, and every part thereof, in the plain and ordinary ſence of the Words read unto me, as they are commonly underſtood by *Engliſh* Proteſtants, without any Evaſion, Equivocation, or Mental Reſervation whatſoever, and without any Diſpenſation already granted me for this purpoſe by the Pope, or any other Authority or Per-

ſon whatſoever, or without any hope of any ſuch Diſpenſation from any Perſon or Authority whatſoever, or without thinking that I am, or can be Acquitted before God or Man, or Abſolved of this Declaration, or any part thereof, although the Pope, or any other Perſon or Perſons, or Power whatſoever, ſhould Diſpence with, or Annul the ſame, or Declare that it was Null and Void from the beginning.

Which ſaid Oaths and Declaration ſhall be in this and every ſucceeding Parliament ſolemnly and publickly Made and Subſcribed betwixt the hours of Nine in the Morning and Four in the Afternoon, by every ſuch Peer and Member of the Houſe of Peers, at the Table in the middle of the ſaid Houſe, before he take his Place in the ſaid Houſe of Peers, and whilſt a full Houſe of Peers is there with their Speaker in his Place; and by every ſuch Member of the Houſe of Commons, at the Table in the middle of the ſaid Houſe, and whilſt a full Houſe of Commons is there duely Sitting with their Speaker in his Chair; and that the ſame be done in either Houſe in ſuch like Order or Method, as each Houſe is called over by reſpectively.

And

And be it further Enacted, That from and after the ſaid Firſt day of December, every Peer of this Realm, and Member of the Houſe of Peers, and every Peer of the Kingdom of Scotland, or of the Kingdom of Ireland, being of the Age of One and twenty years or upwards, not having Taken the ſaid Oaths, and Made and Subſcribed the ſaid Declaration; and every Member of the ſaid Houſe of Commons, not having as aforeſaid Taken the ſaid Oaths, and Made and Subſcribed the ſaid Declaration; and every Perſon now, or hereafter Convicted of Popiſh Recuſancy, Who hereafter ſhall at any time after the ſaid Firſt day of December, come adviſedly into, or remain in the preſence of the Kings Majeſty, or Quéens Majeſty, or ſhall come into the Court or Houſe where they or any of them reſide, as well during the Reign of his preſent Majeſty (whoſe Life God long preſerve) as during the Reigns of any His Royal Succeſſors Kings or Quéens of England, ſhall incur and ſuffer all the pains, penalties, forfeitures and diſabilities in this Act mentioned or contained, unleſs ſuch Peer, Member, or Perſon ſo Convicted, do reſpectively in the next Term after ſuch his coming or remaining, Take the ſaid Oaths, and Make and Subſcribe the ſaid Declaration in His Majeſties High Court of Chancery, betwéen the hours of Nine and Twelve in the Forenoon.

And

And be it further Enacted by the Authority aforesaid, That if any Person that now is, or hereafter shall be a Peer of this Realm, or Member of the House of Peers, or Member of the House of Commons, shall presume to do any thing contrary to this Act, or shall offend in any of the Cases aforesaid, That then every such Peer and Member so offending, shall from thenceforth be deemed and adjudged a Popish Recusant Convict to all intents and purposes whatsoever, and shall forfeit and suffer as a Popish Recusant Convict, and shall be disabled to hold or execute any Office or Place of Profit or Trust, Civil or Military, in any of His Majesties Realms of England or Ireland, Dominion of Wales, or Town of Berwick upon Tweed, or in any of His Majesties Islands or Foreign Plantations to the said Realms belonging; and shall be disabled from thenceforth to Sit, or Vote in either House of Parliament, or make a Proxy in the House of Peers, or to Sue or Use any Action, Bill, Plaint or Information in course of Law, or to prosecute any Suit in any Court of Equity, or to be Guardian of any Child, or Executor, or Administrator of any person, or capable of any Legacy or Deed of Gift; and shall forfeit for every Wilful Offence against this Act, the sum of Five hundred pounds, to be recovered and received by him or them that shall Sue for the same; and to be prosecuted by any Action

on of Debt, Suit, Bill, Plaint or Information in any of His Majesties Courts at Westminster, where no Essoign, Protection, or Wager of Law shall lie.

And be it further Enacted by the Authority aforesaid, That from the said First day of December, it shall and may be lawful to and for the House of Peers, and House of Commons, or either of them respectively, as often as they or either of them shall see occasion, either in this present Parliament, or any other hereafter to be holden, to Order and Cause all, or any of the Members of their respective Houses of Parliament, openly in their respective Houses of Parliament, to Take the said Oaths, and to Make and Subscribe the said Declaration at such times, and in such manner as they shall appoint. And if any Peer shall contrary to such Order made by their said House, Wilfully presume to Sit therein, Without Taking the said Oaths, and Subscribing the said Declaration, according to the said Order, Every such Peer or Member of the House of Peers, so presuming to Sit, shall be adjudged, and is hereby declared to be uncapable and disabled in Law to all intents and purposes whatsoever, to Sit in the said House of Peers, and give any Voice therein, either by Proxy, or otherwise howsoever, during that Parliament. And if any Member or Members of the House of Commons, shall contrary to such Order made by their

House, Wilfully presume to Sit therein, Without Taking the said Oaths, and Making and Subscribing the said Declaration, Every such Member or Members of the House of Commons, so presuming to Sit, shall be adjudged, and is hereby declared to be uncapable, and disabled in Law, to all intents and purposes whatsoever, to Sit in the said House of Commons, or give any Voice therein during that Parliament.

And be it Enacted, That in every case where any Member or Members of the House of Commons shall by virtue of this Act be disabled to Sit or Vote in the House of Commons, Then, and in every such case, Without any further Conviction, or other Proceeding against such Member or Members, the Place or Places for which they or any of them were Elected, is hereby declared Void, and a new Writ or Writs shall Issue out of the High Court of Chancery, by Warrant or Warrants from the Speaker of the House of Commons for the time being, and by Order of the said House, for the Election of a new Member or Members, to Serve in the House of Commons, in the Place or Places of such Member or Members so disabled, to all intents and purposes, as if such Member or Members were naturally dead.

And be it further Enacted by the Authority aforesaid, That from and after the

the First day of December, One thousand six hundred seventy and eight, every Person then being, and who after that time shall be a Sworn Servant to the Kings or Queens Majesty, not having before that time duely Taken the Oaths, and Made and Subscribed the Declaration contained in an Act Entituled, An Act for Preventing Dangers which may happen from Popish Recusants, shall Take the said Oaths, and Make and Subscribe the Declaration before expressed, in His Majesties High Court of Chancery, in the manner aforesaid, either in the next Term after the said First day of December, or in the next Term after any such Person shall be so Sworn a Servant, or in case of Lawful Impediment by Sickness, proved upon Oath, and allowed to be such, under the hand of the Lord Chancellor, or Lord Keeper for the time being, then in the next Term after such Impediment removed; And if any such Person shall refuse or neglect to do the same, and yet after such refusal or neglect, shall advisedly come into, or remain in the presence of the Kings or Queens Majesty, or shall come into the Court or House where they or any of them reside, as well during the Reign of His present Majesty, as during the Reigns of His and their Royal Successors, Kings or Queens of England, and every of them, Every such Person shall be disabled to hold any

Place

Place as such Sworn Servant, and shall incur and suffer all the Pains, Penalties, Forfeitures and Disabilities in this Act mentioned or contained.

Provided, That nothing in this Act shall relate to, or have any effect upon any person being a Natural born Subject of the King of Portugal, Who now is, or hereafter shall be a Sworn Servant to the Queens Majesty, not exceeding Nine in number at any one time; nor to such Women-Servants as her Majesty shall under her hand and Seal from time to time for that purpose be pleased to nominate, the said Women-Servants so nominated, not exceeding the number of Nine at any one time.

And be it Enacted, That during the time of Taking of the said Oaths, and Making and Subscribing the said Declaration, All other Matters and Proceedings, as well in the said Houses of Parliament, as in the said Court, shall cease; And the said Oaths, Declaration, and Subscription, together with a Schedule of the Names of the persons who shall by virtue of this Act Take and Subscribe the same, shall be Made, Entred, and Filed in Parchment Rolls from time to time, duly provided for that purpose by the Clerk of the House of Lords, and the Clerk of the House of Commons, and by the Clerk of the Petty-bag in Chancery, for the several and respective uses as aforesaid;

ſaid; and none of the Peers or Members ſhall give or pay any Fee or Reward to any ſuch Clerk, above the ſum of Twelve pence for the Entry of his Taking the ſaid Oaths, and Making and Subſcribing the ſaid Declaration: All which Rolls reſpectively the ſaid Clerks are hereby required from time to time, without any Fee or Reward, to ſhew to any perſon deſiring to look upon the ſame; And the ſaid Houſe of Peers, and Houſe of Commons, and Court of Chancery, are hereby ſeverally impowred and required in the firſt place, all other Buſineſs laid aſide, to Adminiſter the ſaid Oaths, Declaration, and Subſcription reſpectively, as occaſion ſhall be from time to time, to all and every the perſon and perſons aforeſaid, duly demanding the ſame, according to the directions, purport, and meaning of this preſent Act.

Provided always, That this Act, nor any thing herein contained, ſhall extend to the prejudice of any perſon for coming into, or remaining in the preſence of the King or Queens Majeſty, who ſhall firſt have Licenſe ſo to do, by any Warrant under the Hands and Seals of Six or more Privy Councellors, by Order of His Majeſties Privy Council, upon ſome urgent occaſion therein to be expreſſed, ſo as ſuch Licenſe exceed not the ſpace of Ten days, and that the ſaid Licenſe be firſt Filed and put upon Record in the Office of the Petty-bag in Chancery, for

any body to view without Fee or Reward, and no person be Licensed for above the number of Thirty days in any one year.

Provided nevertheless, That if any Offender contrary to this Act, shall at any time after such Offence Take the said Oaths, and Make and Subscribe the said Declaration in his Majesties high Court of Chancery, and in the manner aforesaid, Every such person shall be from thenceforth Freed and Discharged of and from all Seizures, Penalties, and Losses which he might otherwise sustain or bear for or by reason of being a Popish Recusant Convict by virtue of this Act; and shall be Freed and Discharged from all Disabilities and Incapacities incurred thereby, so as such Freedom and Discharge extend not to restore any such person to any Office or Place filled and supplied upon voidance by this Act, nor to any other Office, till after the expiration of One year, from the Taking the said Oath and Making the Declaration aforesaid, nor to make Void, or at any time Discharge the said Forfeiture of Five hundred pounds, incurred as aforesaid.

Provided always, That nothing in this Act contained, shall extend to His Royal Highness the Duke of York.

FINIS.